

**ENVIRONMENTAL PROTECTION AGENCY
REGION 1 - BOSTON**

**CLASS. NO.: 1200
DELEGATION NO.: 7-22D**

DELEGATION OF AUTHORITY

DATE: 4-18-17

CLEAN AIR ACT

7-22D. Emergency Temporary Restraining Orders

1. PURPOSE AND AUTHORITY.

A. Purpose. To redelegate the authority contained in Delegation 7-22D issued by EPA Headquarters on January 12, 2017.

B. Authority. Pursuant to the Clean Air Act (CAA), including Sections 113(b), 204, 303, and 305, to refer requests for emergency temporary restraining orders to the U.S. Department of Justice and to the appropriate U.S. Attorney.

2. TO WHOM REDELEGATED.

A. The Director, Office of Environmental Stewardship (OES).

3. REDELEGATION AUTHORITY.

A. This authority may be redelegated to the Branch Chief level, or equivalent, and no further.

B. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

4. LIMITATIONS.

A. The Director, OES must obtain the advance concurrence of the Manager, Legal Enforcement Office, OES, or his/her designee, on the legal sufficiency of the referral before exercising this authority. The Manager, Legal Enforcement Office, OES, or his/her designee, may waive concurrence in writing.

B. The Director, OES must notify the Regional Administrator (RA) and the Assistant Administrator (AA) for the Office of Enforcement and Compliance Assurance (OECA) before exercising this authority. The RA and the AA for OECA may waive the requirement for notification in writing.

C. This authority may not be redelegated without the concurrence of the Regional Directives Officer, Human Resources Office, Office of Administration and Resource Management.

ENVIRONMENTAL PROTECTION AGENCY
REGION 1 - BOSTON

CLASS. NO.: 1200
DELEGATION NO.: 7-22D

DELEGATION OF AUTHORITY

DATE: 4-18-17

D. The AA for OECA must notify the appropriate RA before exercising this authority.

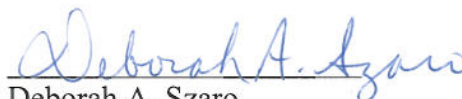
5. ADDITIONAL REFERENCES.

A. Memorandum of Understanding between the U.S. Environmental Protection Agency and the U.S. Department of Justice, June 1977, 42 Fed. Reg. 48,942 (1977).

B. For referral of other civil actions under the CAA, see the Chapter 7 delegation entitled *Civil Judicial Enforcement Actions*.

C. For issuance of emergency administrative orders, see the Chapter 7 delegation entitled *Emergency Administrative Powers*.

6. SUPERSESSON. None.


Deborah A. Szaro
Acting Regional Administrator

4/18/17
Date